

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN ARSENA, on behalf of himself and
other similarly situated employees,

Plaintiff,
-against-

ORDER
16-CV-1546 (SIL)

MH RESTAURANT GROUP LLC d/b/a YOUR
MOTHER'S HOUSE KITCHEN & BAR,
DINO HATZIGIANAKIS and NIKO
HATZIGIANAKIS,

Defendants.

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LOCKE, Magistrate Judge:

On December 15, 2017, in this wage and hour action brought pursuant to the Fair Labor Standards Act of 1938 ("FLSA"), 29 U.S.C. § 201 *et seq.*, and the New York Labor Law, N.Y. Lab. Law § 190 *et seq.*, Plaintiff John Arsenia and Defendants MH Restaurant Group LLC d/b/a Your Mother's House Kitchen & Bar, Dino Hatzigianakis, and Niko Hatzigianakis jointly submitted a motion seeking approval of a Settlement and Release Agreement (the "Settlement Agreement").¹ *See* DE [42]. On January 23, 2018, the parties appeared before this Court for a fairness hearing pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). *See* DE [43]. Having reviewed the parties' joint submissions in support of their application, as well as the Settlement Agreement itself, the Court finds that the Settlement Agreement's terms are fair and reasonable. *See Cheeks*, 796 F.3d at 206;

¹ This action has been assigned to this Court for all purposes pursuant to 28 U.S.C. § 636(c). *See* Docket Entry ("DE") [41].

Wolinsky v. Scholastic Inc., 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012) (requiring that a district court scrutinize an FLSA settlement agreement to determine that it is fair and reasonable). Accordingly, the Settlement Agreement is approved and the Clerk of the Court is directed to close this case.

Dated: Central Islip, New York
January 24, 2018

SO ORDERED.

s/ Steven I. Locke

STEVEN I. LOCKE

United States Magistrate Judge